

4  
C O U N C I L   C O M M U N I C A T I O N

=====

TC :     THE CITY COUNCIL  
FROM:    THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:  
NOVEMBER 15, 1989

=====

SUBJECT:    SET PUBLIC HEARING FOR DECEMBER 6, 1989 REGARDING THE APPEAL OF NOTICE OF  
PUBLIC NUISANCE, ORDER TO ABATE AND ORDER TO VACATE RECEIVED FROM OWNER OF THE  
TRAVELERS HOTEL, 112 NORTH SCHOOL STREET

=====

RECOMMENDED ACTION:    That the City Council set a public hearing for December 6, 1989  
regarding the appeal of Notice of Public Hearing, Order to Abate and  
Order to Vacate received from the owner of the Travelers Hotel, 112  
North School Street

BACKGROUND INFORMATION:    On December 2, 1987, an inspection of the premises was conducted  
by the Community Development Department/Building Division and the  
Fire Department. As a result of this inspection, a NOTICE OF  
PUBLIC NUISANCE AND ORDER TO ABATE was issued by the Community  
Development Department/Building Division on December 16, 1987. On  
December 31, 1987, a letter was sent to the building owner by the  
Fire Department listing items that required corrective action.

On April 14, 1988, a second letter was sent by the Fire Department indicating those items  
that were not corrected, and in addition required that an approved second exit be installed.

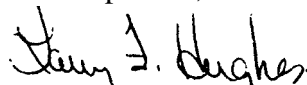
On October 6, 1988, Mr. Surenda Patel, the owner of the subject property, contacted the  
Fire Department and indicated that he would install the fire escape and that plans would be  
available October 7, 1988.

On April 26, 1989, an inspection was conducted by the Fire Department and a NOTICE OF  
PUBLIC NUISANCE AND ORDER TO ABATE was issued.

Telephone conversations and correspondence continued until September 7, 1989, at which time  
a NOTICE TO VACATE in addition to a NOTICE OF PUBLIC NUISANCE AND ORDER TO ABATE were  
issued and posted on the premises on September 8, 1989.

On September 12, 1989, a letter was delivered by Mr. Patel requesting that he be granted a  
period of 90 days to comply due to financial hardship. Consultation with the City Attorney  
resulted in a decision to consider this request as a form of appeal. This would allow Mr.  
Patel approximately 90 days and still provide for the continuance of abatement proceedings.

Section 15.28.070 et seq. of the Lodi Municipal Code provides that the City Council shall  
set a public hearing to consider appeals received in these matters at which time all  
interested parties may appear and show cause why the building(s) or structure(s) involved  
in the proceedings should not be repaired, vacated and repaired or demolished.

  
Larry F. Hughes  
Fire Chief

# CITY OF LODI

## FIRE DEPARTMENT

FIRE PREVENTION BUREAU  
210 WEST ELM STREET  
LODI, CALIFORNIA 95240

(209) 333-6739

November 16, 1989

### NOTICE OF CITY COUNCIL HEARING

TO: Mr. Surendra Fulabhai Patel  
Mrs. Shobhana Surendra Patel  
607 South Cherokee Lane  
Lodi, CA 95240

### NOTICE OF CITY COUNCIL HEARING REGARDING NOTICE OF PUBLIC NUISANCE AND ORDER TO ABATE AND ORDER TO VACATE

Public records indicate that you are the current legal owner of the real and improved property in the City of Lodi, County of San Joaquin, State of California, described as follows:

The North 90 feet of Lot 8 in Block 14 of Mokelumne (City of Lodi), in the City of Lodi, according to the Official Map thereof filed for record in Vol. 2 of Maps, page 12, San Joaquin County Records. Assessor Parcel No. 043-026-15.

Said property **is** more commonly known as Travelers Hotel, 112 North School Street, **Lodi**, CA, 95240.

**As** the property owner, you were served with a Notice of Public Nuisance and Order to Abate and Order to Vacate by certified **mail** on September 7, 1989, which Notice listed specific items that had rendered the structures on said property a public nuisance as defined by Section 202 et seq of the Unsafe Building Abatement Code of the City of Lodi.

In that Notice certain dates were also specified as to the time when the required **work** had to have been commenced and had to have been completed. As of this date, the work ordered in the previous Notice has been given an extended period of time in which to be completed but as yet **has** not been satisfactorily done, nor approved by the Chief Building Inspector.

Therefore, pursuant to Sections 401 (b.4) of said Uniform Code for the Abatement of Dangerous Buildings, you are hereby notified that the undersigned Fire Marshal of the City of Lodi will bring

Mr. Surendra Patel  
November 16, 1989  
Page 2

the matter of said property and the findings listed above before the City Council of the City of Lodi at their regular meeting on Wednesday, December 6, 1989, at 7:30 p.m. at Carnegie Forum, 365 West Pine Street, Lodi, California, requesting that the City Council (i) declare the structure unsafe and a public nuisance and (ii) subsequently order the vacation until repair of said structures with the cost and expense being assessed to you, the property owner.

BY ORDER OF THE LODI CITY COUNCIL:  
Jennifer M. Perrin  
Deputy City Clerk

for Jennifer M. Perrin  
Alice M. Reimche  
City Clerk

Approved as to form:

B W McNatt  
Bobby W. McNatt  
City Attorney

Dated: November 15, 1989

MAILING LIST  
EXHIBIT B

Mr. Surendra.Fulabhai Patel  
Mrs. Shobhana Surendra Patel  
607 South Cherokee Lane  
Lodi, CA 95240

DECLARATION OF MAILING


On November 16, 1989 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 16, 1989, at Lodi, California.

\_\_\_\_\_  
Alice M. Reimche  
City Clerk

  
\_\_\_\_\_  
Jennifer M. Perrin  
Deputy City Clerk